

REMARKS/ARGUMENTS

The final Office Action of April 19, 2004 has been carefully reviewed and these remarks are responsive thereto. Claims 1-47 remain pending in this application. Reconsideration and allowance of the instant application are respectfully requested.

Claims 1, 3, 4, 9-12, 14-15, 18-20, 23, 25, 26, 29-31, 34, 39-40, 43-44 and 47 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Basilier (U.S. 2003/0073453 hereinafter Basilier).

Claims 2, 13, 24, and 38 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Basilier in view of Aggarwal (U.S. Pat. No. 6,154,463).

Claims 5, 6, 21, 22, 32, 33, 45, and 46 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Basilier in view of McCormick (U.S. Pat. No. 6,519,455).

Claims 7, 16, 27, 35 and 41 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Basilier in view of Examiner's official notice.

The primary reference cited in each rejection is Basilier, which has a filing date of October 11, 2001. The filing date of the present application is November 19, 2001. Applicants submit concurrently herewith a Declaration Under 37 C.F.R. § 1.131 establishing invention of the subject matter of the rejected claims prior to the effective date of Basilier.

The present response is a first reply after a final office action containing new grounds of rejection. Thus, the Declaration Under 37 C.F.R. § 1.131 is seasonably presented pursuant to MPEP § 715.09.

With Basilier having been removed as an applicable reference, all the rejections are respectfully traversed. Should the Office deem the attached Declaration insufficient, applicants reserve the right to provide additional evidence, and also to provide arguments over Basilier based on the merits of the reference, and more specifically, based on deficiencies of Basilier as compared to the pending claims.

CONCLUSION

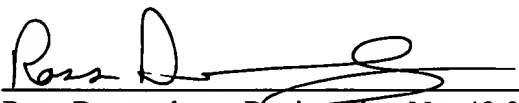
It is believed that no fee is required for this submission. If any fees are required or if an overpayment is made, the Commissioner is authorized to debit or credit our Deposit Account No. 19-0733, accordingly.

All rejections having been addressed, applicant respectfully submits that the instant application is in condition for allowance, and respectfully solicits prompt notification of the same. However, if for any reason the Examiner believes the application is not in condition for allowance or there are any questions, the examiner is requested to contact the undersigned at (202) 824-3153.

Respectfully submitted,

BANNER & WITCOFF, LTD.

Dated this 2 day of June, 2004

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